

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:05-CR-0157
	:	
v.	:	(Judge Conner)
	:	
KWAME DWUMAAH	:	

ORDER

AND NOW, this 18th day of December, 2006, upon consideration of defendant's emergency motion (Doc. 74) to end home confinement, requesting that his period of home confinement be reduced to reflect time served in immigration custody, and it appearing that defendant served time in immigration custody after commencement of his underlying sentence,¹ and that, as a result, defendant is not entitled to receive credit for his immigration custody, see 18 U.S.C. § 3585(b) ("A defendant shall be given credit toward the service of a term of imprisonment for any time he has spent in official detention *prior to the date the sentence commences*) (emphasis added), it is hereby ORDERED that defendant's emergency motion (Doc. 74) to end his home confinement is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹ Defendant's sentence commenced on February 15, 2006. (Doc. 76 at 4.) He was in immigration custody from June 20, 2006 until August 8, 2006. (Doc. 74 ¶ 2.)